

or registered protective circuitry, when connected to a ► 2-wire or 4-wire ◀ loop simulator circuit with the 600 ohm resistor and 500 microfarad capacitor ► of the 2-wire loop simulator circuit or both pairs of the 4-wire loop simulator circuit ◀ disconnected shall, for at least 5 seconds after the equipment goes to the normal off-hook state which would occur in response to ringing (called party condition) shall:

(1) Be at least as great as the current obtained in the same loop simulator circuit with a 200 ohm resistance connected across ► the ◀ tip and ring ► of the 2-wire loop simulator circuit or connected across the tip/ring and tip 1/ring 1 conductors (tip and ring connected together and tip 1 and ring 1 connected together) of the 4-wire loop simulator circuit ◀ in the place of the registered terminal equipment or registered protective circuitry; or

(2) Not decrease by more than 25 percent from its maximum value attained during this 5-second interval; unless the equipment is returned to the on-hook state during the above 5 second interval.

(d) Signaling interference. Registered terminal equipment and registered protective circuitry shall not deliver signals into a ► 2-wire ◀ loop simulator circuit ► or the transmit and receive pairs of a 4-wire loop simulator circuit, ◀ from sources internal to the registered equipment or circuitry, with energy in the 2450 to 2750 Hertz band unless at least an equal amount of energy is present in the 800 to 2450 Hertz band.

#### § 68.502 [Amended]

RM-3334 Proposal by Communication Certification Laboratory for a New Private Line Interface Jack Specification (4-wire and "E and M"):

Change Section 68.502(d) by adding subsection (5) as follows:

(5) ► Up to 8 bridged 4-wire T/R; E and M signalling: 50 position jack. ◀

Electrical network connection: Multiple 4-wire line circuits with E and M signalling leads.

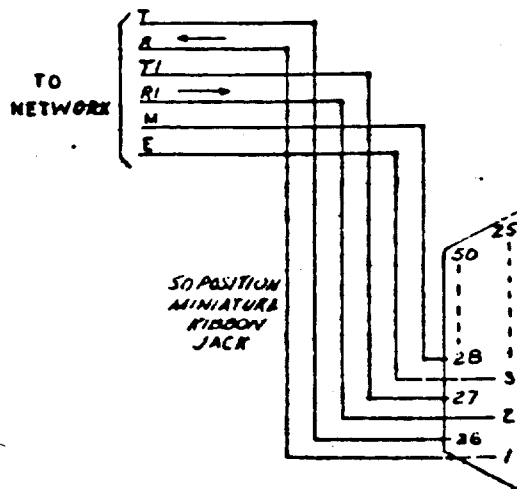
Universal Service Order Code (USOC): RJ26X

Mechanical arrangement: 50 position miniature ribbon jack.

Typical usage: Tie trunk, interface for PBX Terminal System. Up to 8 trunk circuits can be interconnected.

#### Wiring diagram:

Note.—At the time the jack is ordered, the customer must specify the sequence in which



the central office lines are to be connected to the jack. The telephone company will consecutively wire these lines to the jack as shown below without skipping any positions

LINE	T	T1	R1	M	E
1	26	1	27	2	28
2	29	4	30	5	31
3	32	7	33	8	34
4	35	10	36	11	37
5	38	13	39	14	40
6	41	16	42	17	43
7	44	19	45	20	46
8	47	22	48	23	49

[FR Doc. 79-20485 Filed 7-17-79; 8:45 am]

BILLING CODE 6712-01-M

#### INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. X]

[Ex Parte No. MC-128]

#### Revenue Need Standards in Motor Carrier General Increase Proceedings; Correction

Decided: July 12, 1979.

AGENCY: Interstate Commerce Commission.

ACTION: Correction to Notice of Proposed Rulemaking.

SUMMARY: In the Notice of Proposed Rulemaking the date for filing statements of intent to participate was omitted. That date is extended until July 23, 1979.

ADDRESS: All written submissions shall be sent to: Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT: Janice M. Rosenak (202-275-7693) or Harvey Gobetz (202-275-7656).

SUPPLEMENTARY INFORMATION: In the Notice of Proposed Rulemaking served June 25, 1979, and published in Volume 44, page 38609 of the Federal Register, July 2, 1979, the date for submitting statements of intent to participate was omitted. In a notice served June 28, 1979 that date was specified as July 11, 1979. Since this date was not published in the Federal Register the date for submitting statements of intent to participate is extended until July 23, 1979. A complete procedural schedule will be published at a later date.

H. G. Homme, Jr.

Secretary.

[FR Doc. 79-22361 Filed 7-17-79; 8:45 am]

BILLING CODE 7035-01-M

#### DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service 50-79

[50 CFR Parts 13 and 17]

#### Proposed Changes to the Special Rule Concerning the American Alligator

AGENCY: Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This proposal would allow the limited commercial import or export of lawfully taken American alligator hides and manufactured products from those hides in accordance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The sale of meat and other parts from lawfully taken American alligators would be allowed in the State where the taking occurred, if those activities are authorized by State law. Foreign buyers, tanners, and fabricators would be required to obtain a permit to engage in their respective activities. Foreign applicants would also be subject to more stringent application requirements. Special conditions imposed upon permits issued under the special rule have been added. American alligators classified under § 17.11 as "in captivity wherever found" would be included within the coverage of the special rule. Finally, the exception provided for taking American alligators in self-defense has been deleted, in favor of the more liberal defense found in the Act.

**DATES:** Comments are due on or before August 17, 1979.

**ADDRESS:** Submit comments to Director (FWS/LE), U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20036, and refer to the file number REG 17-02-82. All material received will be available for inspection during normal business hours at the Service's Office in Suite 300, 1375 K Street, N.W., Washington, D.C. 20005.

**FOR FURTHER INFORMATION CONTACT:** Marshall L. Stinnett, Special Agent in Charge, Regulations and Penalties, Division of Law Enforcement, U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20036, 202-343-9242, or Mr. Harold J. O'Connor, Acting Associate Director-Federal Assistance, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240, 202-343-4646.

**SUPPLEMENTARY INFORMATION:****Background**

On October 2, 1978 (43 FR 45513), the U.S. Fish and Wildlife Service published proposed changes to the special rule pertaining to the American alligator, *Alligator mississippiensis*, found at 50 CFR 17.42(a). Briefly, the Service proposed to amend the special rule (1) to simplify application procedures for those persons seeking buyer's tanner's, or fabricator's permits, (2) to allow the sale of meat from lawfully taken alligators in the State where the taking occurs, and (3) to limit the applicability

to American alligators of general permits pertaining to threatened wildlife issued under 50 CFR 17.32. The Service would have allowed the import and export of American alligators only if those activities were consistent with the Convention on International Trade in Endangered Species of Wild Fauna or Flora (hereinafter referred to as the Convention or by the acronym CITES).

On May 9, 1979 (44 FR 27190), the Service published a reopening of the comment period and a notice of public hearings on the proposal. The Service also announced that it would propose regulations (1) establishing a permit procedure under the special rule for action relating to the species (i.e., American alligator), including its exportation and importation, (2) modifying the determination (i.e., definition) of "American alligator" within the special rule to include American alligators in captivity, and (3) requiring foreign buyers, tanners, and fabricators to obtain a permit to engage in their respective activities with hides of American alligators to insure control over trade in the species.

Since the initial proposed rulemaking several changes have affected the domestic and international protection provided to the American alligator. Domestically, the population in nine parishes in Louisiana was reclassified from threatened to threatened-similarity of appearance, thereby increasing the number of parishes in which American alligators may be lawfully taken under controlled harvest (June 25, 1979, 44 FR 37130). Internationally, the American alligator's status under CITES was changed from Appendix I to Appendix II effective June 28, 1979 (44 FR 25480, May 1, 1979), thereby providing the opportunity for American alligators to be commercially traded, subject to the review and approval (for exports) of both the U.S. Management Authority and the U.S. Endangered Species Scientific Authority.

**Permits**

A description of the permits available under the special rule and the activities for which they may be issued will provide the basis for an explanation of this proposal. Three permits would be available in relation to American alligators.

1. *General permit—threatened species.* Permits would be available under § 17.32 in relation to American alligators for the purposes for which permits may be issued under that section, which are: scientific purposes, or the enhancement of propagation or survival; economic hardship; zoological

exhibition; educational purposes; or special purposes consistent with the purposes of the Act.

2. *Buyer, tanner, or fabricator.* Permits would also be issued under the authority of the special rule itself, as provided by section 4(d) of the Act (16 U.S.C. 1533(d)). These would authorize buyers, tanners, and fabricators to engage in any of the prohibited activities in the process of manufacturing finished products from lawfully taken American alligators, including alligators taken under Florida's nuisance control program. Application requirements, issuance criteria, and special conditions are found within the rule.

These permits provide a highly regulated framework whereby the activities of permit holders are closely monitored. A new special condition imposed on these permits states explicitly what formerly has been the practice. The Service has created a "closed system" wherein permittees may only engage in business with other permittees until a manufactured product is marked. While not foolproof, a number of controls are placed on permittees so that only lawfully taken American alligators enter the system, and only products from those alligators leave it. Hides tagged by the State where the taking occurred may only be sold or transferred to persons holding valid Federal permits to buy hides. No untagged hides may be lawfully sold or transferred. Once so tagged these hides retain the tags through the tanning process. Finally, products from those hides are marked by the fabricator with a label provided by the Service. Fabricators will be required to accurately document the relationship between the hides received and the finished products created from them.

Additionally, permittees must maintain complete and accurate records of dealings in the hides of reptiles of the Order Crocodilia. This would include those species most likely to be commingled with American alligators: other alligators, crocodiles, caimans, and gavials.

This system would be implemented without requiring the tanner to apply a mark on the underside of the hide in indelible ink as previously proposed (October 2, 1978, 43 FR 45513). Instead the Service will rely on the engraved label which the fabricator will attach. These labels are difficult to duplicate and are unusable if an attempt is made to remove them from lawful products and place them on unlawful ones. The indelible mark on the underside of the skin presented a number of problems. That mark is easy to duplicate, not

readily seen on products which are lined with other leather, and may be shaved off in the process of fabricating finished goods.

Applications will be accepted from foreign buyers, tanners, or fabricators who wish to engage in these activities. Expanding the domestic "closed system" worldwide has several advantages. As a condition of the permit, § 13.47 allows the Service to conduct reasonable inspections of the permittee's business premises for any evidence of the commingling of illegally taken American alligator hides with legal ones. So long as the permit holder abides by the conditions of the permit, access to a reliable source of legal American alligator hides is possible. However, if the conditions of the permit are violated, the permittee is subject to the sanctions of the Act, including permit revocation. To insure jurisdiction over foreign permit holders, they would be required to appoint an agent for the service of process and to identify any property held in the United States. Appointment of an agent will enable the Service to impose civil penalties under the Act and to revoke a permit, when it is necessary, thereby removing the permittee from lawful trade in American alligators.

Export and import of the hides and manufactured products of lawfully taken American alligators would not be prohibited if conducted in accordance with CITES, as long as the hides bear the tag attached by the State where the taking occurred or the manufactured products have the mark attached which was provided by the Service and affixed by the fabricator, at the time of export or import. When the Service's mark is affixed to manufactured products, only CITES documentation would be necessary. Tagged hides, however, would still have to move within the "closed system."

On May 31, 1979 (44 FR 31584), the U.S. Endangered Species Scientific Authority (hereinafter referred to as ESSA) published proposed findings on the commercial export of American alligators taken during the 1979 harvest season under Article II 2(b) of CITES. ESSA proposed to find that the export of certain American alligator hides would not be detrimental to the survival of other species of crocodilians, subject to the conditions that: (1) Foreign buyers, tanners, and fabricators must obtain permits similar to those currently in force within the United States (50 CFR 17.42(a)). Permittees must provide access to their records and may sell to other buyers, tanners, or fabricators only if they hold Federal permits. Fabricators must permanently mark all

products to indicate that they are American alligator. (2) Exports must only be allowed to buyers, tanners, or fabricators holding valid Federal permits who are located in countries which have ratified CITES and which have not taken reservations for any crocodilians. (3) Prior to export, all hides must be indelibly marked over their entire reverse surface with identifying symbols.

The Department of the Interior, as U.S. Management Authority, is now proposing to include foreign buyers, tanners, or fabricators within the "closed system," but has not presently proposed, as already discussed, the requirement that hides be indelibly marked prior to export, nor to restrict export to CITES Party countries without reservations for crocodilians.

The U.S. Management Authority suggests the following resolution to the Article II 2(b) "no detriment" finding required to be made. A rebuttable presumption that "no detriment" exists could be applied to the activities of buyers, tanners, or fabricators in CITES Party countries without reservations for crocodilians. In those countries, trade in crocodilians would be restricted by CITES. However, this presumption could be rebutted by evidence which indicated that buyers, tanners, or fabricators were taking actions which would preclude the continuation of a "no detriment" finding. For buyers, tanners, and fabricators in non-party countries or in party countries with reservations for crocodilians, ESSA could review individual buyers, tanners, and fabricator applications submitted to the Management Authority, together with any permit conditions proposed by the Management Authority, or could in consultation with the Management Authority make a general finding with any appropriate general conditions applicable to all buyers, tanners, or fabricators. Any appropriate general conditions necessary to satisfy an ESSA no detriment finding would be fulfilled by the Management Authority through specific conditions incorporated into the permit. A review of the permittee's compliance with these conditions could be conducted at any appropriate interval. ESSA could reopen its "no detriment" finding at any time evidence is available to indicate that reconsideration of its current finding should be undertaken. Export permits issued under Article IV of CITES would no longer be available for export to a permittee when a "no detriment" finding cannot be sustained for that permittee and the permit to buy, tan, or fabricate may be revoked.

### 3. *Similarity of appearance.*

Previously, American alligators found in captivity were not covered by the special rule. As a result permits were issued under § 17.52 authorizing the permittee to engage in any of the acts prohibited by § 17.42(a). Under this proposal, American alligators bred in captivity which are tagged by the State where the taking occurred may be sold or otherwise transferred to holders of valid buyer's permits without the prior grant of a permit under § 17.52. However, those specimens which do not meet the definition of bred in captivity, but which are held in captivity, would only be eligible for permits under § 17.32.

The definitions of "in captivity" and "bred in captivity" are those adopted by CITES at the Second Meeting of the Conference of the Parties.

### Miscellaneous

The self-defense exception formerly found in paragraph (a)(1)(i)(A) has been deleted. The Endangered Species Act Amendments of 1978 liberalized the circumstances under which the defense can be raised under the Act, 16 U.S.C. 1540. The Service plans to propose revised self-defense regulations applicable to all endangered and threatened wildlife in the near future.

Finally, the sale of meat and other parts from lawfully taken American alligators would be allowed in the State where the taking occurred, if this activity is permitted by the State. One such State is Louisiana, which also regulates the sale of meat through licensing and recordkeeping requirements.

### Public Comments Solicited

The Director intends that the rules finally adopted will be as accurate and effective as possible in the conservation of any endangered or threatened species. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of these proposed rules are hereby solicited.

Final promulgation of the special rule on the American alligator will take into consideration the comments and any additional information received by the Director, and such communications may lead him to adopt final regulations that differ from these proposals.

An environmental assessment has been prepared in conjunction with this proposal. It is on file in the Service's Division of Law Enforcement, 1375 K Street, N.W., Washington, D.C. 20005

and may be examined during regular business hours. A determination will be made at the time of final rulemaking as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969.

The primary author of these proposed rules is Mr. John T. Webb, Paralegal Specialist, Division of Law Enforcement, 202-343-9242.

### Regulations Promulgation

Accordingly, it is hereby proposed to amend subchapter B of Chapter I, Title 50 of the Code of Federal Regulations, as set forth below:

### PART 13—GENERAL PERMIT PROVISIONS

#### § 13.12 [Amended]

1. Amend § 13.12(b) by inserting the phrase "American alligator—buyer,

tanner, or fabricator.....17.42" after "Captive, self-sustaining populations (wildlife only).....17.33" and before "Marine mammal permits."

### PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

2. Amend § 17.11(i) to read as follows:

#### § 17.11 Endangered and threatened wildlife.

(i) \* \* \*

Species			Range		Status	When listed	Special rules
Common name	Scientific name	Population	Known distribution	Portion of range where threatened or endangered			
Alligator, American.	<i>Alligator mississippiensis</i>	Whenever found in the wild, except in those areas where it is listed as Threatened, as set forth below.	Southeastern United States.....	Entire.....	E	11	N/A
Alligator, American.	<i>Alligator mississippiensis</i>	In the wild in FL and in certain areas of GA, LA (except in those parishes listed as T(S/A)), SC and TX, as set forth in Sec. 17.42(a)(1).	U.S. (FL and certain areas of GA, LA (except in those parishes listed as T(S/A)), SC and TX.	Entire.....	T	20	17.42(a)
Alligator, American.	<i>Alligator mississippiensis</i>	In the wild in Cameron, Vermillion, Iberia, St. Mary, St. Charles, Terrebonne, Lafourche, St. Bernard, Jefferson, St. Tammany, and Plaquemines Parishes in LA.	U.S. (Cameron, Vermillion, Calcasieu, Iberia, St. Mary, St. Charles, Terrebonne, Lafourche, St. Bernard, Jefferson, St. Tammany, and Plaquemines Parishes in LA).	N/A.....	T(S/A)	11	17.42(a)
Alligator, American.	<i>Alligator mississippiensis</i>	In captivity wherever found.....	Worldwide.....	N/A.....	T(S/A)	11	17.42(a)

3. Revise § 17.42(a) to read as follows:

#### § 17.42 Special rules—Reptiles.

(a) *American alligator (Alligator mississippiensis)*. (1) *Definitions*. For the purposes of this paragraph (a):

"American alligator" shall mean any member of the species, and any part, offspring, dead body, part of a dead body or product of such species (*Alligator mississippiensis*) occurring in captivity wherever found or in the wild in Iberia, St. Mary, St. Charles, Terrebonne, Lafourche, St. Bernard, Jefferson, St. Tammany, Plaquemines, Cameron, Vermillion, and Calcasieu Parishes, Louisiana, and in the wild in Florida and in certain coastal areas of Georgia, Louisiana, South Carolina, and Texas, contained within the following boundaries:

From Winyah Bay near Georgetown, South Carolina, west on U.S. Highway 17 to Georgetown; thence west and south on U.S. Alternate Highway 17 to junction with U.S. Interstate Highway 95 near Walterboro, South Carolina; thence south on U.S. Interstate Highway 95 (including incomplete portions) to junction with U.S. Highway 82; thence southwest on U.S. Highway 82 to junction with U.S. Highway 84 at

Waycross, Georgia; thence west on U.S. Highway 84 to the Alabama-Georgia border; thence south along this border to the Florida border and following the Florida border west and south to its termination at the Gulf of Mexico.

From the Mississippi-Louisiana border at the Gulf of Mexico north along this border to its junction with U.S. Interstate Highway 12; thence west on U.S. Interstate Highway 12 (including incomplete portions) to Baton Rouge, Louisiana; thence north and west along corporate limits of Baton Rouge to U.S. Highway 190; thence west on U.S. Highway 190 to junction with Louisiana State Highway 12 at Ragley, Louisiana; thence west on Louisiana State Highway 12 to the Beauregard-Calcasieu Parish border; thence north and west along this border to the Texas-Louisiana State border; thence south on this border to Texas State Highway 12; thence west on Texas State Highway 12 to Vidor, Texas; thence west on U.S. Highway 90 to the Houston, Texas, corporate limits; thence north, west and south along Houston corporate limits to junction on the west with U.S. Highway 59; thence south and west on U.S. Highway 59 to Victoria, Texas; thence south on U.S. Highway 77 to corporate limits of Corpus Christi, Texas; thence southeast

along the southern Corpus Christi corporate limits to Laguna Madre; thence south along the west shore of Laguna Madre to the Nueces-Kleberg county line; thence east along the Nueces-Kleberg county line to the Gulf of Mexico.

"Bred in Captivity" shall mean the progeny of American alligators born in captivity of parents that mated in captivity. The parental breeding stock must be (1) established in a manner not detrimental to the survival of the species in the wild, (2) maintained without augmentation from the wild except for the occasional addition of animals or eggs from wild populations to prevent deleterious inbreeding with the magnitude of such addition determined by the need for new genetic material and not by other factors, and (3) managed in a manner designed to maintain the breeding stock indefinitely. A parental breeding stock shall be considered to be managed in a manner designed to maintain it indefinitely only if it is managed in a manner that has been demonstrated to be capable of reliably producing second-generation offspring in captivity.

"Buyer" shall mean a person engaged in the business of buying hides of

American alligators for the purpose of resale.

"Fabricator" shall mean a person engaged in the business of manufacturing products from American alligator leather.

"In captivity" shall mean held in a controlled environment that is intensively manipulated by man for the purpose of producing American alligators, and that has boundaries designed to prevent them from entering or leaving the controlled environment. General characteristics of captivity may include but are not limited to artificial housing, waste removal, health care, protection from predators, and artificially supplied food.

"Tanner" shall mean a person engaged in the business of processing green, untanned hides of American alligators into leather.

(2) *Prohibitions.* Except as provided by permits available under paragraph (a)(3), the following prohibitions apply to the American alligator.

(i) *Taking.* Except as provided in this paragraph (a)(2)(i) no person may take American alligators.

(A) Any employee or agent of the Service, any other Federal land management agency, or a State conservation agency, who is designated by the agency for such purposes, may, when acting in the course of official duties, take American alligators without a permit if such action is necessary to:

- (1) Aid a sick, injured or orphaned specimen;
- (2) Dispose of a dead specimen;
- (3) Salvage a dead specimen which may be useful for scientific study; or
- (4) Remove a specimen which constitutes a demonstrable but non-immediate threat to human safety. The taking must be done in a humane manner, and may involve killing or injuring only if it has not been reasonably possible to eliminate such threat by live-capturing and releasing the specimen unharmed, in a remote area.

(B) Any taking pursuant to paragraph (a)(2)(i)(A) must be reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, within 5 days. The specimen may only be retained, disposed of, or salvaged in accordance with directions from the Service.

(C) Any employee or agent of the Service or of a State conservation agency which is operating under a cooperative agreement which covers American alligators with the Service, in accordance with section 6(c) of the Act, who is designated by the agency for

such purposes, may, when acting in the course of official duties, take American alligators to carry out scientific research or conservation programs.

(D) Any person may take American alligators in Cameron, Vermillion, Calcasieu, Iberia, St. Mary, Terrebonne, St. Bernard, St. Tammany, Lafourche, St. Charles, Plaquemines, and Jefferson Parishes in accordance with the laws and regulations of the State of Louisiana provided the following requirements are met:

(1) The hides of such alligators are only sold, offered for sale, or otherwise transferred to persons holding a valid Federal permit to buy hides, issued under paragraph (a)(3); and

(2) The meat and other parts are sold only in the State of Louisiana, and only in accordance with the laws and regulations of that State.

(E) When American alligators are taken by Federal or State officials in accordance with paragraphs (a)(2)(i)(A) or (a)(2)(i)(C) the hides may be sold by their respective agencies to any person holding a valid Federal permit to buy hides, issued under paragraph (a)(3), provided the following requirements are met:

(1) The hides have been tagged by the State of origin with a noncorrodible numbered tag inserted no more than 6 inches from the tip of the tail;

(2) The tag number, length of belly skin, and date and place of the specimen's taking are recorded by the State;

(3) A tag or label is affixed to the outside of any package used to ship the hides, identifying its contents as American alligator hides, indicating their quantity and tag numbers, and providing the name and address of the consignor and consignee; and

(4) The meat and other parts are only sold in the State where the taking occurs, and only in accordance with the laws and regulations of that State.

(F) Any person may take American alligators in captivity wherever found, provided the following requirements are met:

(1) The American alligators have been bred in captivity;

(2) The hides have been tagged by the State where held in captivity with a noncorrodible numbered tag inserted no more than 6 inches from the tip of the tail;

(3) The tag number, length of belly skin, and date and place of the specimen's taking are recorded by the State;

(4) The hides of such alligators are only sold, offered for sale, or otherwise transferred to persons holding a valid

Federal permit to buy hides, issued under paragraph (a)(3);

(5) A tag or label is affixed to the outside of any package used to ship the hides, identifying its contents as American alligator hides, indicating their quantity and tag numbers, and providing the name and address of the consignor and consignee; and

(6) The meat and other parts are only sold in the State where the taking occurs, and only in accordance with the laws and regulations of that State.

(ii) *Unlawfully taken alligators.* No person may possess, sell, deliver, carry, transport, or ship, by any means whatsoever, American alligators taken unlawfully.

(iii) *Import or export.* No person may import or export any American alligator except that hides and manufactured products of lawfully taken American alligators may be imported or exported in accordance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (see 50 CFR Part 23 for rules implementing the Convention), provided that such hides bear the noncorrodible numbered tag attached by the State where the taking occurred and such manufactured products have the mark attached which was provided by the Service and affixed by the fabricator, as required by paragraph (a)(3), at the time of import or export.

(iv) *Commercial transactions.* No person may deliver, receive, carry, transport, ship, sell, or offer to sell in interstate or foreign commerce, by any means whatsoever, and in the course of a commercial activity, any American alligator, except that manufactured products of American alligators which have been marked in accordance with paragraph (a)(3)(iii)(C)(8) by a fabricator holding a valid Federal permit may be transported, shipped, delivered, carried or received in interstate or foreign commerce in the course of a commercial activity, and may be sold or offered for sale in interstate or foreign commerce.

(3) *Permits.* (i) *General.* Permits are available under § 17.32 (General permits-threatened wildlife) for all of the prohibited activities referred to in paragraph (a)(2). All the terms and provisions of § 17.32 shall apply to such permits.

(ii) *Similarity of appearance.* Permits are not available under § 17.52 (Similarity of appearance) for any of the prohibited activities referred to in paragraph (a)(2).

(iii) *Buyer, tanner, or fabricator.* Upon receipt of a complete application, the Director may issue a permit in accordance with the issuance criteria of

this paragraph (a)(3)(iii) for a buyer, tanner, or fabricator, authorizing the permittee to engage in any of the prohibited activities referred to in paragraph (a)(2).

**(A) Application requirements.**

Applications for permits under this paragraph (a)(3)(iii) must be submitted to the Director by the person who wishes to engage in the activities of a buyer, tanner, or fabricator. Each application must be submitted on an official application form (Form 3-200) provided by the Service, and must include, as an attachment, all of the following information:

(1) The category or categories (buyer and/or tanner and/or fabricator) for which the permit is desired;

(2) A description of the applicant's business organization, including: a description of the physical plant; the method of operation of the business; experience, if any, over the previous five years; all shareholders, partners, directors, officers or other parties in interest in the business organization;

(3) A description, including samples, of the applicant's present or proposed system of inventory control and bookkeeping capable of insuring accurate accounting for all American alligator hides and tags dealt with by the applicant;

(4) A statement detailing any convictions or civil penalties under State, Federal, or foreign laws, for taking or trafficking in wildlife within the previous five years for the applicant, or any shareholder, partner, director, officer, principal, employee, or agent;

(5) Foreign applicants must disclose the nature and location of all property in the United States in which the applicant has an interest; and

(6) Foreign applicants must provide the name and address of an agent located in the United States who is authorized to receive service of process for the applicant.

**(B) Issuance criteria.** Upon receiving an application completed in accordance with paragraph (a)(3)(iii)(A) the Director will decide whether or not a buyer, tanner, or fabricator permit should be issued. In making this decision, the Director shall consider, in addition to the general criteria in § 13.21(b) of this subchapter, the applicant's reliability and apparent ability and willingness to maintain accurate inventory and bookkeeping records of all American alligator hides and State tags dealt with by the applicant.

**(C) Special conditions.** In addition to the general conditions set forth in Part 13 of the subchapter, permits issued under paragraph (a)(3)(iii) shall be

subject to the following special conditions;

(1) Permittees may not buy, tan, or fabricate any American alligator hide except one which was taken, sold, offered for sale, delivered, carried, transported, or shipped in accordance with paragraph (a)(2)(i);

(2) A buyer must leave all tags on the hides and all shipping tags or labels on the shipping packages as required by paragraph (a)(2)(i)(E)(3) and (a)(2)(i)(F)(5) unless the shipments are broken apart, in which case the shipping tags or labels must be removed, recorded, and returned to the issuer;

(3) If a buyer has broken apart original shipments he must affix a shipping tag or label to the outside of each new package of hides, showing the name and address of the consignor and consignee, identifying the contents of the shipment as American alligator hides, and showing the tag numbers of the hides in the shipment;

(4) A tanner must leave all tags on the hides;

(5) A fabricator must remove, record, and return to the issuer all tags on the hides;

(6) Every permittee must maintain complete and accurate records of all American alligator hides, including the numbers of all State tags; and must maintain complete and accurate records of dealings with hides of the Order Crocodilia;

(7) Fabricators shall in addition maintain complete and accurate records showing the relationship of American alligator hides processed to finished American alligator products;

(8) Fabricators must affix, under the supervision of the Service, a mark provided by the Service to each product made of American alligator hides; and

(9) Permittees may only sell, offer for sale, deliver, carry, transport, or ship American alligator hides to holders of valid Federal permits which authorize the buying, tanning, or fabricating of American alligator hides.

**Note.**—The Department has determined that this rule is not a significant rule and does not require preparation of a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Dated: July 13, 1979.

Michael J. Spears,  
Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 79-22208 Filed 7-17-79; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### [50 CFR Part 410]

### Extension of Comment Period on Proposed Fish and Wildlife Coordination Rules

**AGENCY:** National Oceanic and Atmospheric Administration, Commerce, and Fish and Wildlife Service, Interior.

**ACTION:** Extension of public comment period.

**SUMMARY:** This notice extends the period for submitting public comment on proposed rules which were published on May 18, 1979 (44 FR 29300). The proposed rules would establish uniform procedures for Federal agency compliance with the Fish and Wildlife Coordination Act. As a result of comments already received, this extension was determined necessary to allow the public more time to prepare comments.

**DATES:** The deadline for written comments is extended from July 17 to August 17, 1979.

**ADDRESS:** Comments should be addressed to the Associate Director (AE), Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** Thomas J. Bond, Fish and Wildlife Service, Division of Ecological Services, Washington, D.C. 20240. (703) 235-2520, who is also the primary author of this document.

Dated: July 12, 1979.

Michael J. Spear,  
Acting Director, Fish and Wildlife Service.

[FR Doc. 79-22113 Filed 7-17-79; 8:45 am]

BILLING CODE 4310-55-M